

In the United States  
Courts for the Northern  
District of Ohio

[pg # 1]

Josh Turner  
plaintiff

case no 4:23-cv-0242-BYP

Judge B. Pearson

vs

Alan Shaw Et, Al

FILED

Norfolk southern train company.

JUN 23 2023

Defendants.

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
YOUNGSTOWN

## "Reply" To Defendants Motion to Dismiss.

- 1) on February 3<sup>rd</sup> 2023, Norfolk southern train company's train derailed in the East Palestine Ohio area. with life threatening hazardous chemicals on multiple train cars.. on February 3<sup>rd</sup> 2023 Norfolk southern "CEO" and / or Employees orchestrated a "controlled" [Blow-up] or [Burn]!! into the ~~public~~ public of the people of the united states of ~~America~~ America , these so called ["Chemicals"] are life threatening, and Millions of Gallons of "vinyl chloride" went into the ["Environment"] in and/or Around East Palestine Area...  
  
2) on February 3<sup>rd</sup> 2023.., while the Burn was going on the wind shifted towards the area in which is [Hubbard] Mahoning county... threw the day of February 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup> our prison is a supper MAX security and we have no way to close or open windows it's a automatic fan ventilation system for 3 days Every inmate

[pg # 2]

In (osp) - ohio state penitentiary was Breathing in the ["Soot"] - Ash, vinyl chloride for 96 hours untill the Maintenance personal turned off our ventilation for 3 to 5 hours to clean the Ducts or vents out of the smell that was lingering in our cells for almost 9 Days. All the inmates started complaining About the Medical problems we were having and still are having ... the Irritation of Burning skin, Rashes, cough, sinuns, chest congestions ...

- 3) on or Around March - April I put in A ["HSR"] which is a Health Service Request form to see a Medical staff personal .., I stated I had a Irritation on my left shoulder, a cough, Burning eyes, and chest congestions, Head aches, Burning skin !!.., ~~The~~ The Medical staff stated, what e showed them on my left shoulder [A Red pea sized circle] was Due to the type of soap e was using. so e changed my soap and lotion. after a 2 week period of time nothing happened so I put in a other "HSR" Health service Request form. stating its not going away so the nurse / Medical staff gave me Antifungal cream said it was ["Ringworm"] after a few week Nothing happened and I put in for a other [HSR] the nurse / Medical staff said well lets try

[pg # 3]

Eucerin cream, It might be ceriesis, well after  
2 More weeks Nothing so the Medical  
Supervisor [Ms. Morgan] Did A Skin Sample  
and sent it off to an outside lab which  
came back [Skin Cancer] !!!! Due  
to the so called Controlled Burn By  
Norfolk Southern train Company "CEO" and/or  
Employees I have Received a skin cancer Due  
to the soot / vinyl chloride Being Burnt into  
the AIR and leaked into our soil ...

- 4) I am an Inmate at (osp) and Im not Allowed to Request my own Medical Records which I would on like for my Attorney to see them, if the Defendants want them for "Discovery" or trial purpose then I would have no problems with there Request .. the courts will find in this time - line I have put forth my Medical Records w// show All factual information on my Behalf is true and correct ... I would just like to thank the courts to hearing my Reply to the Defendants Motion to Dismiss Thank you for all your time.

Respectfully submitted,  
Josh Turner 798-557

878 Contsville-Hubbard <sup>et</sup> youngstown ohio  
114 525

I Declair under penalty and perjury  
that the foregoing is true and  
correct to the best of my knowledge  
Exacted on 6/19/2023

Signature

798-557

Name/print

Josh Turner

798-557

Josh Turner 798-557  
878 coitessville - Hubbard <sup>re</sup>  
youngstown , ohio 44505

Case No . 4:23-cv-0242

Judge B. Pearson

Joshua Turner #798-557

Case: 4:23-cv-00242-BYP Doc #: 94 Filed: 06/23/23 5 of 5. PageID #: 1135

Ohio DEPARTMENT OF REHABILITATION  
AND CORRECTION

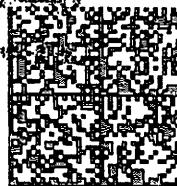
OHIO STATE PENITENTIARY

878 COITSVILLE-HUBBARD ROAD  
YOUNGSTOWN, OHIO 44505-4635

DRC 1608 (Rev 9/18)

CLEVELAND OH 44103

06/21/2023



quadrant

FIRST-CLASS MAIL

IMI

\$000.60<sup>0</sup>

06/21/2023 ZIP 44505

043M31232087

US POSTAGE

Clerk's office

United States District

Courts for the Northern  
District of Ohio

125 Market street

youngstown, ohio

44503-178799

44503

3

043M31232087

[LEGAL  
MAIL]

6-19-2023

case No. 4:23-cv-0242